

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Shenzhen Aifasite Electronic)	Case No.: 9:24-cv-80174-AMC
Commerce Co., Ltd.)	
)	Judge: Aileen M. Cannon
Plaintiff,)	
)	Mag. Judge: Ryon M. McCabe
v.)	
)	
WEIYIN Co.Ltd, JIEYAN Co.Ltd,)	
BAOFEI Co.Ltd, ANBAO Co.Ltd)	
)	
Defendants.)	
)	
)	

**[proposed] ORDER ON PLAINTIFF SHENZHEN AIFASITE ELECTRONIC
COMMERCE CO., LTD.’S MOTION FOR LEAVE TO CONDUCT EXPEDITED
THIRD-PARTY DISCOVERY**

THIS CAUSE is before the Court upon Plaintiff’s Motion for Leave to Conduct Expedited Third-Party Discovery, (D.E. 7) (“Motion”), filed on March 1, 2024. The Court has carefully reviewed the Motion, the record in this case, the applicable law, and is otherwise fully advised. For the reasons set forth below, the Motion is granted.

I. BACKGROUND

This is a federal trademark infringement case in which Plaintiff alleges that Defendants, through e-commerce stores, are advertising, promoting, offering for sale, and selling products using Plaintiff’s federally registered trademark.

The Expedited Discovery Request requires that third party internet marketplace platforms provide information to Plaintiff, including the true names and identities of the Defendants and their purchase and sales history over several years.

The third party platforms are required to comply by assisting to identify all accounts involved in the Defendants' alleged counterfeiting schemes and provide Plaintiff with Defendants' contact information.

II. COURT'S FINDINGS

In the instant case, the Court finds that good cause exists to grant Plaintiff's request to seek limited expedited discovery from the following third-party platforms and any subsidiaries or umbrella corporations that maintain the following third-party platforms and processors.

Upon Plaintiff's request, any third party with actual notice of this Order who is providing services for any of the Defendants, or in connection with any of Defendants' Online Marketplaces, including, without limitation, any online marketplace platforms such as Walmart, Inc., Payoneer and Paypal, as well as any other identified platforms or payment processors (collectively, the "Third Party Providers") shall, within five (5) business days after receipt of such notice by electronic mail, provide to Plaintiff expedited discovery, including copies of all documents and records in such person's or entity's possession or control regarding:

- (i) all information, financial accounts and/or sub-accounts, associated with the Internet based e-commerce stores operating under the Seller IDs identified on Schedule "A" to the Complaint in this action;
- (ii) all other accounts which transfer funds into the same financial institution account(s) or any of the other financial accounts subject to the TRO entered in this action;
- (iii) an accounting of all funds restrained and identify the financial account(s) and sub-account(s) which the restrained funds are related to;
- (iv) the account transactions related to all funds transmitted into the financial account(s) and sub-account(s) which have been restrained;

(v) the true identities including names, addresses, email addresses, and IP addresses, of each person who registered, are listed in, logged into, used, or who otherwise handled or is associated with the financial/payment processing accounts of all Defendants;

(vi) the full list of stores and associated financial/payment processing account;

(vii) the full list of stores and associated financial/payment processing accounts opened, operated by, or at any time used by the Defendants.

In addition, Plaintiff is authorized to issue expedited written discovery, pursuant to the Federal Rules of Civil Procedure 33, 34, and 36, related to:

- a. the identities and locations of Defendants, their agents, servants, employees, confederates, attorneys, and any persons acting in concert or participation with them, including all known contact information, including any and all associated email addresses; and
- b. the nature of Defendants' operations and all associated sales, methods of payment for services and financial information, including, without limitation, identifying information associated with the Online Marketplaces, Domain Names, and Defendants' financial accounts, as well as providing a full accounting of Defendants' sales and listing history related to their respective Online Marketplaces and Domain Names.

Plaintiff is authorized to issue any such expedited discovery requests via email. Defendants shall respond to any such discovery requests within ten (10) business days of being served via email.

Accordingly, it is ORDERED AND ADJUDGED that Plaintiff's Motion (D.E. 7) is GRANTED.

DONE AND ORDERED this ____ day of March, 2024.

AILEEN M. CANNON
UNITED STATES DISTRICT COURT JUDGE